

**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "A METHOD FOR UPGRADING THE COMMUNICATION DEVICE," the specification of which was filed on February 4, 2005, as application No. PCT/CN2005/000159. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application for patent or inventor's certificate or of any international application designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any international application designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application of which priority is claimed:

Priority Claimed

200410005144.2 People's Republic of China February 4, 2004  
 (Application Serial Number) (Country) (Day/Month/Year Filed)

☒ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(c) of any United States provisional application listed below:

\_\_\_\_\_  
 (Application Serial Number) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application or international application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application and the national or international filing date of this application:

\_\_\_\_\_  
 (Application Serial Number) (Day/Month/Year Filed) (Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

All practitioners at Customer Number 04743

Send correspondence to: James P. Zeller

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